

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

MALACHI KILGORE,

Civil No. 13-634 (JRT/FLN)

Plaintiff,

v.

**ORDER ON REPORT
AND RECOMMENDATION**

JOHN KING et al,

Defendants.

Malachi Kilgore, #205781, MCF-Stillwater, 970 Pickett Street North, Bayport, MN 55003, *pro se* plaintiff,

Jackson Evans, **OFFICE OF THE MINNESOTA ATTORNEY GENERAL**, 445 Minnesota Street, Suite 900, St Paul, MN 55101-2127, for defendants.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated August 8, 2014, all the files and records, and no objections having been filed to the Report and Recommendation,

IT IS HEREBY ORDERED that:

1. Plaintiff's motion for summary judgment [Docket No. 18] is **DENIED**;
2. Defendants' motion for summary judgment [Docket No. 35] is **GRANTED**;
3. Plaintiff's claim against Defendants in their individual capacities for violation of the First Amendment's Free Exercise Clause is **DISMISSED** with prejudice insofar as Kilgore argues that the STG designation prevents him from obtaining central texts, being sent periodicals, and engaging in Parliament

activities; and

4. Plaintiff's claim against Defendants in their individual capacities for violation of RLUIPA is **DISMISSED** with prejudice.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: August 26, 2014
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge